

City Council Regular Meetings, January 8, 2002

Twin Pines Senior and Community Center, 1223 Ralston Avenue

**SPECIAL MEETING: TIME – 6:30 P.M.**

**STUDY SESSION**

**Presentation by Belmont Police Department demonstrating the police car computer system. (Held in the Police Department Parking Lot, 1215 Ralston Avenue, Twin Pines Park)**

The Police Department provided an overview and hands on demonstration on the new Mobile Data Computer project. They demonstrated how to transmit data from the Police cars to their Police computer server. This system increases productivity, by allowing police officers to write and transmit reports from the field, and provides a means to communicate, and access data confidentially.

Councilmembers Metropulos, Cook, Wright, Bauer and Warden attended this Meeting. City Manager Kersnar, Police Chief Janke, Police Commander Woods, IT Manager Harnish, City Clerk Kern.

**Adjournment** at this time, being 6:45 P.M.

Meeting not tape-recorded

Kathy Kern

Belmont City Clerk

**Permit Re-Engineering - Presentation of Consultant's Recommendations.**

**Mr. Beyers**, Consultant, Management Partners, gave an overview of his findings regarding the system re-engineering process and reported that his firm analyzed the City's development review, building permit and licensing processes to identify opportunities for improvement. He stated that they divided these observations into seven key areas and made recommendations for improvement based on the feedback that had been provided by the Councilmembers, citizens and staff. Mr. Beyers stated that the recommendations included: good communication among staff and the applicants; a formalized structure for project management to ensure accountability and information; expansion of administrative approvals to

improve the application process; conceptual review process must be used to provide data for legislative bodies; mandatory staff training, consistent use of available technology and revision of the Grading Ordinance to provide clarity. Mr. Beyer stated that by implementing system refinements, greater accountability to the customer will be provided.

In response to C. Wright, Mr. Beyer explained that the point of contact person, would not necessarily be the person that the customer would work with on a project. He said that if one person could be identified to guide an applicant to the appropriate staff person for help, the customer would be better served.

Community Development Director Ewing stated that the staff enjoyed being able to look at the process as a team, which was a very positive exercise for everyone. He said he would like to return with an implementation strategy at the next meeting, to show how these recommendations would be integrated into the process. Community Development Director Ewing noted that the physical layout of City Hall was not conducive to good customer service. He said he had some interim ideas he would like to present to help overcome this concern.

City Manager Kersnar stated that several of the recommendations would come back to Council, because they were policy changes, and/or ordinance changes.

Council stated their appreciation for this overview, and thanked staff for initiating the study to address the needs of the citizens.

**Adjournment** at this time, being 7:20 P.M.

Kathy Kern

Belmont City Clerk

Meeting tape recorded and televised

Tape No. 513

**REGULAR MEETING - 7:40 P.M.**

**ROLL CALL**

COUNCILMEMBERS PRESENT:Metropulos, Cook, Wright, Bauer, Warden.

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Engineer Yoshida, Finance Director Fil, Planner Ouse, IT Manager Harnish, City Clerk Kern Police Chief Janke

### **PUBLIC/COUNCIL COMMENTS**

**Mr. Lawhern**, 408 Hiller, thanked City Clerk Kern for saving historical files from her office for the Historical Society. He expressed concerns about the large structures being built along the Ralston Canyon. He noted that this area was designated as a scenic corridor, and he said he thought these huge buildings would change the rural character of Belmont.

**Mr.Green**, 34 Waterloo Court, requested that the City Council look into adopting an overnight parking ordinance like the one in the City of Menlo Park. He said his neighborhood was particularly problematic, because one homeowner had about eight cars. He said it had been suggested that the neighborhood association get involved with this overnight parking issue. Mr. Green stated he knew this was not going to be an issue that could be resolved without input from everyone in the City.

**Mr.Campbell**, 2923 San Juan Blvd, stated that he had received the information regarding the development fee schedule from the Finance Department. He said he still did not understand how these fees were calculated.

Staff stated that they would be reviewing these fees during the budget and would look into this matter at that time.

C Metropulos reminded everyone that the Carlmont High School trivia contest would be held on Saturday, January 12<sup>th</sup>, at 3:00 P.M. and would be televised on Channel 26.

C.Warden stated that the 15<sup>th</sup> anniversary celebration of the Senior Center was this Friday.

C.Bauer announced the Rotary Crab Feed would be held at the Greek Orthodox Church on January 19<sup>th</sup>.

C.Metropulos announced the Carlmont Boosters Crab Feed would be held on January 26<sup>th</sup>, at the Senior Center.

## **AGENDA AMENDMENTS**

Mayor Warden announced that 4-I (encroachment permit) would be considered off consent calendar and noted that Resolution for 4-J ( Direct Access) had been amended.

## **CONSENT CALENDAR**

**Approval** of meeting minutes: Regular Meeting November 27, 2001; Special Meeting November 29, 2001.

**Approval of Warrant** List Dated: 12/7/01 in total amount of \$976,811.82 and dated 12/14/01 in total amount of \$147,239.94 and dated 12/21/01 in total amount of \$149,060.67 and dated 12/28/01 in total amount of \$474,590.46.

**Written Communication 1).** Rec. 12/7/01 from PG&E Notice of Ex Parte Communications for A.97-12-020, I.97-11-026, A.94-12-005, I.95-02-015; 2). Rec. 12/12/01 Annual report in compliance with GO No. 166(D.98-07-097) S. Cal Water Co. Bear Valley Electric Service; 3). Rec. 12/12/01 from PG&E Ltr. re. the date for filing General Rate Case A.97-12-020, I.97-11-026, A.94-12-005, I.95-02-015, A.00-07-043; 4). Rec. 12/17/01 PG&E Identification of Officers and Employees, I.01-12-010 (U39M) 5). Rec. 12/21/01 from PG&E Motion to adopt proposal to resolve issues, I. 01-12-010(U39M); 6). Rec. 12/21/01 from PG&E Erratum to Motion of PG&E to adopt Proposal to resolve issues, I.01-12-010(U39M).

**Motion to approve** Claims Management Report.

**Motion declaring** as Surplus Computer Equipment and Authorizing Donation to Belmont/Redwood Shores Elementary School District.

**Resolution No. 9162** approving extension of a Stipulation and Order for Settlement of Litigation between the City of Belmont and the Belmont/Redwood Shores Elementary School District.

**Resolution No. 9163** accepting Work, approving Contract Change Order Number 1, and Authorization to Issue Notice of Substantial Completion for the Sanitary Sewer Rehabilitation, Basins 10, 13, and 15 Spot Repair Project, J.F. Pacific Liners, Inc., City Contract No. 387.

**Resolution No., 9164** approving a Revision of Restricted Parking from 20-Minute (9am-6pm, Monday-Friday) to 20- Minute (8am-8pm, Monday - Sunday) at 1504 El Camino Real.

**Resolution No. 9165** approving the Initial Study/Environmental Assessment for the US Route 101/Ralston Avenue Interchange Modification Project, City Contract No. 402.

**Motion** to allow advertisement for Commission Openings for terms expiring, March 1, 2002, and advertise for two (2) Teen Parks and Recreation Commission seats.

**Resolution No. 9166** Authorizing a Professional Services Agreement with Du-All Safety for Safety Training and Consultation Services. (NTE \$30,400)

**Resolution No. 9167** Authorizing issuance of a Purchase Order to ASAP Software Express, Inc. in the Amount of \$10,202.40 for the first installment of a Microsoft Enterprise Agreement.

**Resolution No. 9168** in support of Proposition 42, The Transportation Congestion Improvement Act on the March 5, 2002 ballot.

**Motion accepting** Consultant's Report on Permit Re-Engineering.

Consent Calendar approved as amended, on motion by C.Wright, seconded by C. Cook, and approved unanimously, by show of hands to adopt the Consent Calendar.

## **NEW BUSINESS**

**Consideration of Resolution approving a Permanent Encroachment Agreement for the construction of a Keystone Retaining Wall within the Public Right of Way at 2925 San Juan Boulevard. (APN 043-202-600; Owners C. & D. Chen).**

Senior Engineer Yoshida explained that this encroachment was a companion to the encroachment that had been approved in December on the property next door. The City required that each owner have his or her own encroachment for this wall that was being constructed for soil stabilization.

C. Cook stated that this encroachment was being approved after the project was underway, and she did not understand the public benefit for it.

City Manager Kersnar explained that this encroachment was before the Council, because a permit had been granted for the uphill lot, and in order to make that retaining wall/sidewalk work, this encroachment permit needed to be approved.

**Mr. Chapman**, 2923 San Juan Blvd, explained that he was the builder of both of these homes and these walls were required to finish off the sidewalk along the front of the property. Mr. Chapman stated that he had not extended the sidewalk past the driveway at 2927 San Juan, because it would have required a 7ft retaining wall, and the neighbors expressed concerns about the esthetics of this wall. He noted that both keystone walls would match, and would have landscaping that would cover both walls.

**Action:** on motion by C. Wright, seconded by C. Bauer, and approved unanimously, by show of hands, to adopt:

**Resolution No. 9169** approving a Permanent Encroachment Agreement for the construction of a Keystone Retaining Wall within the Public Right of Way at 2925 San Juan Boulevard. (APN 043-202-600, Owners C. & D. Chen).

## **OLD BUSINESS**

### **Hillside Development Standards - Discussion and Direction regarding the project work plan .**

Senior Planner Ouse outlined the hillside development standards work program and explained that the Planning Commission recommended completing Goal III :

... evaluation of existing slope density figures and assessment of possible revisions

or amendments including assessment of options; and drafting policy and/or implementation mechanisms (Plan or zoning amendments)...

She also suggested that Goal IV, Neighborhood Outreach be folded into this plan to shorten the completion date by a month.

In response to C. Cook, Community Development Director Ewing explained that there was funding available in the advance-planning budget, to focus an associate planner on this project. He thanked Council for focusing the study to this area, so that the research could be directed on these issues.

In response to C. Metropulos, Community Development Director Ewing stated that he thought the Planning Commission would look at the work done by staff before they gave input and send it to Council for review.

Community Development Director Ewing explained that slope was used to set density for subdivisions, which determined how many lots could be carved out of a large parcel. Slope was also used to determine the size of the house allowed on a lot. He stated that both of these issues would be explored in this report.

C. Wright stated he was in support of this study, but would like Goal II looked at next, because he felt the amendments to the Floor Area Transfer program were needed to provide more flexibility. He said this would provide a balance between development and open space. He stated that there was a multi-pronged approach to doing it, and the current program was too restrictive.

**Action:** motion by C. Bauer, seconded by C. Cook, and approved unanimously to have staff establish completion of Goal III, (Slope Density Concept) combined with Goal IV, (Neighborhood Outreach).

There was Council consensus to have staff look at Goal II, (Floor Area Transfer program) upon completion of the first two goals.

## **NEW BUSINESS -**

### **Consideration of a Resolution approving a lease with MetroPCS for use of land at the Barrett Community Center.**

Parks and Recreation Director Mittelstadt reported this lease was for a wireless communications facility at the Barrett Community Center. He explained that this antenna – flagpole and equipment cabinet would be located on the southwest corner near Maywood Drive. He said the pole would be lit so a flag could be displayed. The lease would generate \$21,600 for the General Fund, and had been approved by the Parks and Recreation and Planning Commission.

Parks and Recreation Director Mittlestadt indicated that the Parks and Recreation Commission had requested these funds be placed in the Park Improvement Fund, because these funds are being generated by use of parkland. He reported that staff was recommending that the funding be put in the General Fund.

In response to C. Metropulos, Parks and Recreation Director Mittelstadt stated that this pole would be located 30ft behind a large pine tree, and between two redwood trees.

In response to C. Cook, Parks and Recreation Director Mittelstadt, explained that the funding from the two leases at the Sports Complex, went into the General Fund.

City Manager Kersnar suggested an approach that could help with this policy issue regarding funding. He stated that staff would be taking a Capital Improvement Program to the Commission, and then to Council on park facilities. He said the funding in the Park Improvement Fund needed prioritization so that consideration could be given to park projects. He suggested that at that time, the Council could look at the current policy to determine if the funds were being generated for park facilities. He stated that options could be considered at that time. City Manager Kersnar stated they he would rather have funding unrestricted.

**Mr. Kranen**, 1902 Notre Dame Avenue, stated it would be a good idea to put the money in the Park Fund, because he felt this park would be diminished by the addition of this flagpole. He said he wondered if it would be possible to use this revenue stream to pay off a loan or revenue bond, raising the money up front, then using it to build a new park. He stated that he understood the reasoning behind putting the money in the General Fund.

In response to C. Metropulos, Parks and Recreation Director Mittelstadt explained that this pole would be located in the landscaped area.

C. Wright stated that he liked the idea of working toward a solution through a policy approach, and make these funding decisions strategically, rather than one at a time.

C. Warden stated that at budget time, this total revenue source could be earmarked toward a park.

**Action:** on motion by C. Wright, seconded by C. Bauer, and approved unanimously, by show of hands to adopt:

**Resolution No. 9170** approving a lease with MetroPCS for use of land at the Barrett Community Center.

**Consideration of a Resolution and Motion authorizing the following leasing matters:**

**Resolution authorizing City Staff to lease Suite 130 and Suite 150 in Belmont City Hall, 1070 Sixth Avenue to FACES.**



**Motion authorizing City Staff to advertise the availability of Suite 200, Belmont City Hall, for lease.**

Finance Director Fil reported that the Resolution to lease Suite 130 and 150 had been tabled until January 22<sup>nd</sup>. He reported that staff would like to advertise the availability of Suite 200. He said it was staff's intention to have a return on our investment to help defray the cost of operating the City Hall building. He said this suite was not needed for several years, until a new facility was complete, or longer, depending on Council direction regarding the future Police Facility. Finance Director Fil reported that the annual rent would total \$207,000 per year for three years.

He explained that this would be a new revenue stream for the General Fund.

In response to C. Metropulos, Finance Director Fil stated that they would not include relocation fees in any of these leases.

In response to C. Warden, City Manager Kersnar stated that there was room in the building to accommodate the police, if it was decided to construct a separate emergency services building. He said that this space could be rented for three years, until the plans had been complete, and this would provide flexibility for the space.

In response to C. Warden, Assistant City Manager Rich stated that the needs assessment should be completed by April, and even if the Council chose the small police facility, Suite 200 would not be needed until the construction was complete.

C. Wright stated that he agreed with the staff's recommendations. He stated that in this soft market, a three year lease may be helpful.

C. Warden stated he was not comfortable leasing any of the suites at City Hall until a Needs Assessment Plan had been put together.

**Action:** on motion by C. Metropulos, seconded by C. Wright, and approved, 3-2 (Cook, Warden, no) authorizing City Staff to advertise the availability of Suite 200, Belmont City Hall, for lease.

**Discussion and Direction regarding amendments to City Council Protocols.**

Assistant City Manager Rich explained that these Council Protocol recommendations have been brought forward because of Council discussions regarding amendments to various sections. One of the revisions formalizes the process regarding the Council-initiated Item 9's on the agenda. He stated that these items would now be considered at a twice a year priority setting, unless a super-majority approves earlier action on an item.

Assistant City Manager Rich stated that staff had provided options for breaking the "Public Comment" Section into two different sections. He said they would have Public/Council Announcements at the beginning of the meeting, and a section at the end of the meeting for Public Communications. He said the comments at the end would be extended in length to 15 minutes.

Assistant City Manager Rich explained that staff was suggesting a streamlined process for Council announcements at the beginning of the meeting, which would allow for a rotation of newsworthy items among the members.

Assistant City Manager Rich reported that the last change would establish a clear method for rotation of the Mayor and Vice-Mayor. He noted that if Council concurred with this process, the former Resolution would be rescinded and the Protocols would be the governing document.

In response to C. Cook, Assistant City Manager Rich explained that Public Announcements at the beginning of the meeting would be for community events, or a thank you. He said Public Comments would allow the community to make comments regarding non-agenda items at the end of the meeting.

C. Metropulos stated that he agreed with this suggestion for separating the Comment Section. He said Comments at the beginning could set the tone for the meeting. He said it was important for the public to be allowed to speak, but felt it was appropriate to put this at the end of the meeting.

In response to C. Cook, Assistant City Manager Rich explained that the comment card would be modified, if Council decided to split this section in two, to spell out what each section entailed. The Mayor would announce at the beginning of each meeting, what each comment section was for. He noted that if Council concurred with this suggestion, a separate form would be developed for citizens to communicate a question or concern in writing. This form would include a space for name, address and telephone number, so staff could provide a response in a timely fashion. This way the citizen would not have to sit through a long meeting to make a comment.

**Mr. Kranen**, 1902 Notre Dame, stated that he liked the public comment period at the beginning of the meeting. He said he thought it was an imposition to make the public wait to the end of the meeting.

**Mr. Lawhern**, 408 Hiller, agreed that the public should be heard at the beginning of the meeting. He said he thought that it was important for elected officials to hear from the public, and that it was very rare that this process had ever caused a problem. He said elected officials were always asking for ways reach out to the citizens, and this was one way to do that.

In response to C. Bauer, Assistant City Manager Rich explained that Council generated Item 9's were items that were suggested for discussion and/or action by the rest of the Council. Heretofore, each Councilmember could put an Item 9 on the agenda, and the Council would discuss, and/or decide that more research should be done by staff to reach a decision. The new process called for a Project Description Form to be filled out, and twice a year, Council reviewed this work program to decide which issues staff should devote more time on.

Council concurred with this Item 9 process.

C. Warden said he was concerned about time management of the agenda. He would like to have public comments at the end, so there would be plenty of time to hear citizens concerns. He noted that if having public comments at the end of the meeting did not work, it could be changed.

C. Wright said that public comments consisted of two groups. Citizens who decide to come out and discuss a topic at length, or a person with a brief comment. He suggested enforcement of the 10-minute speaker's comments at the beginning of the meeting, and instruction to groups with lengthy presentations to speak at the end of the meeting. He said the public would need to be educated to help make this process successful.

City Manager Kersnar stated that as long as the rules were applied equally, then this process should work. He said if the Mayor announces the rules at the beginning of the meeting, then everyone should adhere to them. He noted that the staff could keep time, so the Mayor would not have to use the gavel.

Following further discussion, Council concurred to have a 10-minute comment period at the beginning of the meeting, and a comment period at the end of the meeting.

C. Warden stated that he would like to have a form developed, so that citizens could write out their comments or concerns, in the event they do not want to get up and speak at the podium.

C. Bauer suggested that the form include an area that would indicate which comment section the citizen would like to speak at, the beginning or the end of the meeting. He said the citizen would then have an idea when they would be speaking.

Following discussion, Council concurred they would continue to make their own announcements at the meetings.

**Recess:** at this time, being 9:15 P.M. this meeting was recessed.

**Reconvene:** at this time, being 9:20 P.M. this meeting was reconvened.

C. Warden stated that he had asked for this change to the selection of Mayor/Vice Mayor, to create a seamless process and strict rotation. This would eliminate the need for voting every year.

City Manager Kersnar suggested a language change to clarify this change. He suggested substituting the word "seated" for "selected" in paragraph V-2 (Mayor/Vice Mayor Selection), and eliminate sentence- 4 - Section V-2, which explained that a majority vote was required to confirm the selection of the mayor and vice mayor.

Council concurred with this amendment to this Section for Selection of Mayor/Vice Mayor.

C. Cook suggested a language change under Council expenses to reflect that individual Councilmembers would police their own expenses, instead of putting the Mayor in the position of determining Council members expenses.

Council concurred to direct staff to provide language that would put a cap on expenses, and allow individual Councilmembers to determine their own expenses appropriately.

C. Wright suggested rewording the sentence regarding submittal of minutes Section 9 (b). He suggested removal of the words "generally submitted" and substitute the wording.....minutes "are submitted" to City Council within two meetings for approval.

**ADJOURNMENT** at this time, being 9:35 P.M.

Kathy Kern

Belmont City Clerk

Meeting tape-recorded and televised.

Tape No. 513